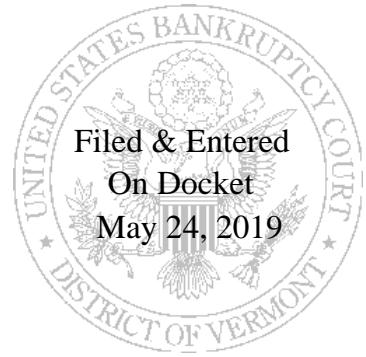


**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT**



Filed & Entered  
On Docket  
May 24, 2019

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**In re:**

**Hermitage Inn Real Estate  
Holding Co., LLC  
Putative Debtor.**

**Chapter 7  
Involuntary Case # 19-10214**

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**ORDER**

**AUTHORIZING SHORTENED NOTICE, SETTING DEADLINES, AND**

**SETTING HEARING ON EMERGENCY MOTION UNDER 11 U.S.C. § 303(f)&(g) TO**

**RETAIN STATE COURT APPOINTED RECEIVER OR APPOINT CHAPTER 7 TRUSTEE FOR GAP PERIOD**

AFTER DUE CONSIDERATION of the Motion for Emergency Hearing, filed by Berkshire Bank (the “Bank”) at 3:30 PM on May 24, 2019 (doc. # 7), in which it seeks an Order either retaining the State Court appointed receiver, or appointment of a chapter 7 trustee, to serve during the gap period in this involuntary case, THE COURT FINDS the Bank has alleged emergency circumstances, set forth good cause for a hearing on an expedited basis and proposed two alternative types of relief that might be warranted if it proves the facts it alleges, and that all creditors and parties in interest must be given at least 24-hours notice of the hearing and an opportunity to respond and appear at the hearing.

Therefore IT IS HEREBY ORDERED that:

1. The Bank’s request for an emergency hearing is GRANTED and the Court will hold an evidentiary hearing on the Berkshire Bank’s Emergency Motion on shortened notice.
2. The Bank shall (a) serve this Order, with a notice of motion, via electronic mail, fax, or personal service, to all known creditors and parties in interest in this case, as well as the Office of the U.S. Trustee, and (b) file a certificate of such service **by Tuesday, May 28, 2019 at 10:00 a.m.**
3. The Bank, and any other party in interest who intends to introduce evidence at the hearing, shall file a notice of evidentiary hearing, **by Wednesday May 29, 2019 at 10:00 a.m.**
4. Any party who opposes, or wishes to respond to, the Bank’s Emergency Motion shall file their written opposition or response **by Wednesday May 29, 2019 at 10:00 a.m.**
5. The Bank shall appear to present its proof in support of the Emergency Motion, and any other party in interest who wishes to participate shall likewise appear at a hearing on **Thursday, May 30, 2019 at 10:00 a.m.** at the United States Bankruptcy Court in Burlington, Vermont.

May 24, 2019 at 5:10 pm  
Burlington, Vermont

*Colleen A. Brown*  
Colleen A. Brown  
United States Bankruptcy Judge